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Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1. This sheet, which includes Figs. 1-2, replaces the original sheet including Figs. 1-2. In Fig. 1, labels have been added.

Attachment: Replacement Sheet

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REMARKS

In an Office Action mailed on June 17, 2005, the Examiner allowed claims 11-18, rejected claims 1, 2 and 19, and objected to claims 3-10 and 20. By this Amendment, claims 1, 2, 6, 8, 10, 11, 17-20 have been amended. Applicants request reconsideration of the rejected and objected to claims in view of the following remarks.

I. Objections**A. Drawings**

The Examiner objected to the drawings because Fig. 1 needed labels. Fig. 1 has been amended to include labels for components 104, 106, and 108.

B. Specification

The Examiner noted grammatical errors in paragraphs [0004] and [0019]. These paragraphs have been amended to correct the grammatical errors identified by the Examiner.

Referring to paragraphs [0019] and [0022], the Examiner noted, "[a]s particular ICs are also a plurality of ICs and it is possible for the particular ICs to be the total number of the plurality of ICs, there is some confusion therefore what distinguishes then the average yield value ratio determined from the actual yield ratio determination." Applicants believe that the Examiner has misread these paragraphs, and believes that with the clarification below that these paragraphs do not require correction.

Paragraph [0019] refers to "a particular IC or portion of an IC formed on each one of the wafers 102." Paragraph [0020] refers to "a plurality of ICs or portions of an IC formed on each one of the wafers 102." Thus, the term "particular IC" refers to a single IC on each one of the wafers, while "plurality of ICs" refers to multiple ICs on each one of the wafers. "A particular IC" is then a subset of "plurality of ICs" on a wafer, rather than being equivalent.

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As further clarified, an example is provided in paragraph [0021] of a total of 100 ICs formed on each of a plurality of wafers. "A particular IC" corresponds to just one of the 100 ICs on each wafer. In contrast, "a plurality of ICs" refers to the 100 ICs on each wafer. Thus, if there are 10 wafers, then there would be a total of 1,000 ICs (100 ICs on each wafer x 10 wafers), but there are 10 of the particular ICs (one particular IC on each wafer x 10 wafers). Note that the actual yield ratio would be [# of particular ICs that passed the test]/10, while the average yield ratio would be [# of ICs that passed the test]/1000. Thus, the actual yield ratio and the average yield ratio would not be the same.

C. Claims

The Examiner objected to claims 1-20 under 37 C.F.R. 1.75(a). As an initial matter, Applicants assume that the Examiner's objection should have been made under 35 U.S.C. 1.112, second paragraph. Applicants also assume that the Examiner's objection is as to the requirement under 35 U.S.C. 1.112, second paragraph, that "the claims must set forth in the subject matter that the applicants regard as their invention," rather than the requirement that "the claims must particularly point out and distinctly define the metes and bounds of the subject matter that will be protected by the patent grant." (M.P.E.P. 2171.) In accordance with M.P.E.P. 2172, a rejection based on a failure to set forth the subject matter that the applicants regard as their invention "is appropriate only where applicant has stated, somewhere other than in the application as filed, that the invention is something different from what is defined by the claims." In the present case, the Examiner has failed to provide such evidence.

The Examiner objected to the preamble of claims 1, 11, and 19 because "the body of the claim does not particularly point out how the generation of the transformed yield value results in publishable yield information." The preambles of claims 1, 11, and 19 have been amended to remove the term "publishable."

The Examiner also objected to the "generating a transformed yield value" step in claims 1 and 19 for not particularly pointing how exactly the actual yield value and the average yield value

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are used to generate the transformed yield value. Applicants note that the Examiner does not appear to object to the clarity of this claim element. Instead, the Examiner appears to be objecting to its breadth. According to M.P.E.P. 2173.04, however, the "[b]readth of a claim is not to be equated with indefiniteness." M.P.E.P. 2173.04 also states, "[u]ndue breadth of the claim may be addressed under different statutory provisions." In the present case, the Examiner rejected claims 1 and 19 under 35 U.S.C. 102(e). Thus, Applicants assert that the Examiner's rejection under 35 U.S.C. 1.112, second paragraph is inappropriate and unnecessary, particularly as the scope of the "generating a transformed yield value" step can be resolved in the context of the Examiner's 35 U.S.C. 102(e) rejection.

The Examiner has objected to claims 2, 3, 12, and 13 because, "there is some confusion then what distinguishes the average yield value ratio determination from the actual yield ratio determination." As discussed in detail above with reference to the Examiner's objection to paragraphs [0019] and [0022], the actual yield ratio and the average yield ratio are not the same. Claims 1 and 19 have been amended to clarify that the actual yield value is determined for a particular IC or portion of an IC, while the average yield value is determined for a plurality of ICs or portions of an IC.

The Examiner has objected to claim 6 for lacking antecedent basis for "the factor" and "scaling the actual yield value." Claim 6 has been amended to depend from claim 5.

The Examiner has objected to claims 8 and 17. Claims 8 and 17 have been amended to correct typographical errors.

The Examiner has objected to claim 18 for lacking antecedent basis for "the transformed yield value." Claim 18 has been amended to recite "the normalized yield value" rather than "the transformed yield value."

The Examiner has objected to claim 19 for reciting "the integrated IC." Claim 19 has been amended to recite "the IC" rather than "the integrated IC."

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The Examiner has objected to claim 20 for lacking antecedent basis for "the die." Claim 20 has been amended to recite, "the single IC or portion of an IC" rather than "the die."

II. Claim Rejections – 35 USC 102

Claims 1 and 19 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,751,519 (the Satya reference).

The Satya reference discloses performing a first process on a semiconductor product, then inspecting test structures for the first process to obtain yield information for the first process. (Column 2, line 65-column 3, line 2.) A product yield of the semiconductor product is then predicted based on the obtained yield information for the first process and an average of yield information for any remaining processes for the semiconductor product. (Column 3, lines 4-10.) Thus, if there are five processes needed to form the semiconductor product, the product yield is predicted based on the yield information obtained for one of the five processes and an average of yield information for the remaining four processes.

Claims 1 and 19 recite obtaining an actual yield value associated with a particular IC or portion of an IC and an average yield value associated with a plurality of ICs or portions of an IC. Thus, the actual yield value is that of a single IC or portion of an IC, and the average yield value is that of multiple ICs or portions of an IC. The yield information disclosed in the Satya reference is that of a single process, and the average of yield information disclosed in the Satya reference is that of multiple processes.

Thus, Applicants assert that the yield information for one process and average yield information of remaining processes disclosed in the Satya reference do not anticipate the actual yield value and average yield value recited in claims 1 and 19.

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III. Claim Rejections – 35 USC 103

Claim 2 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the Satya reference in view of U.S. Patent No. 6,842,663 (the Yamada reference). Claim 2 depends from independent claim 1. For the reasons set forth above, Applicants assert that claim 1 is allowable over the Satya reference. Thus, Applicants assert that claim 2 is allowable for at least the reason that it depends from an allowable independent claim.

IV. Allowable Claims

Claims 11-18 were held to be allowable subject to the appropriate correction of the 37 C.F.R. 1.75(a) objections. For the reasons set forth above, Applicants assert that the Examiner's 37 C.F.R. 1.75(a) objections have been addressed. Thus, Applicants request allowance of these claims.

Claims 3-10 and 20 were objected to as being dependent upon a rejected base claim. For the reasons set forth above, Applicants assert that claims 1 and 19 are allowable over the Satya reference. Thus, Applicants assert that claims 3-10 and 20 are allowable for at least the reason that they depend from allowable independent claims.

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V. Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 524322001100. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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